

were not confused. They understood that democracies did not make war with democracies.

Before the shock of 9/11, it seemed the 21st century voices for a democratic dialectic were muted. The origins of the Helsinki Process were forgotten. It was the Helsinki Process, in 1974, that laid the groundwork for democratic change in Europe. The Berlin Wall collapsed following the popular democratic movement of Solidarity in Poland and the "Velvet" revolution in the Czech Republic. The drive toward human rights and expanding democracies slowed at the turn of the century. Yet, the appetite for democracy once tasted cannot be easily satisfied. With the "Rose" revolution in Georgia, and now the "Orange" revolution in Ukraine, democracy is on the march again.

The Bush doctrine of manifest democracy provoked by September 11, 2001, continues to gain support by raising the banner of freedom, liberty and free markets. Public sentiment for democracy is rising not only in the East, in Georgia and now Ukraine, but across Eurasia, in Afghanistan and seeping into the dialectics of the Middle East as well as, painfully, in Iraq.

My hope is that Canada will regain its principal place as an active protagonist and creative partner for democracy, liberty and freedom and as a forceful agent in the spread of free trade and free markets around the globe.

Canada owns a capacious toolbox of democratic instruments and best practices that can quickly and cost-efficiently be deployed to help build the infrastructure of democracy—independent parliamentary commissions; parliamentary practices, including checks and balances; separation of powers; policing; independent judging and free trade agreements.

We hope that Prime Minister Martin and Canada will actively re-engage with President Bush and America, as we did after World War II, in a collective effort to spread democracy, free trade and free markets around the world.

REMEMBRANCE OF ATTACK ON PEARL HARBOR

Mr. LAUTENBERG. Mr. President, today marks the sixty-third anniversary of the horrific attacks on Pearl Harbor, HI, the first major attack on American soil by a foreign enemy since British troops set fire to the White House and the Capitol Building in the War of 1812. It was 60 years later, September 11, 2001, before the next attack took place on American soil. Pearl Harbor will always be remembered as the first incident to shock the collective psyche of our Nation out of its complacency.

Whether it could be classified as a terrorist act or otherwise, the attack on Pearl Harbor claimed the lives of 2,403 American servicemen. This event, perpetrated by a people who have long since reconciled their differences with America and the world, is a reminder to all of us of the sacrifices made by millions of individuals during this time of national peril. Their selfless actions and incredible courage in the face of extreme personal risk helped to ensure that the freedoms which are the bedrock of our country were preserved. We honor the memory of our countrymen who sacrificed their own lives, so oth-

ers could live, and the families who lost loved ones in the attack. And we honor the survivors of Pearl Harbor, including the roughly 6,000 who are still alive today. We must never forget any of these brave Americans.

FAMILY ENTERTAINMENT AND COPYRIGHT ACT OF 2004

Mr. LEAHY. Mr. President, today, in the waning hours of this Congress, the Senate has passed legislation that will improve important parts of our intellectual property law. Sponsored by myself, as well as by Senators HATCH, CORNYN, BIDEN, and FEINSTEIN, the Family Entertainment and Copyright Act of 2004 is the product of many months of bipartisan effort. Many of its provisions have passed the Senate before, others have passed the House, and the package enjoys the well-justified support of the many stakeholders. I am especially grateful for the assistance and support of our colleagues in the House of Representatives as we have tried to craft a broad, consensus bill.

Intellectual property is one of the driving forces in our Nation's economy, but if we do not continue to protect it, we will lose our place as the global leader in its production. Just as importantly, the United States enjoys the fruits of the labors of a multitude of creative and talented artists and inventors. Our arts and sciences bring not only monetary revenue to the country, but deep artistic satisfaction and rewards on a cultural level. The Digital Age has great potential to bring more of each.

Digital technology has allowed producers of intellectual property to find new and innovative ways to create and distribute their products, and it has enhanced our position as a global leader in the creation of cultural and intellectual works. However, the ease of duplication and nearly instantaneous communication that make these technologies so wonderful has also been used by some to undermine intellectual property rights; as a result, many of our copyright-holders are reluctant to embrace the very tools that offer so much to consumers and, if used legally, to our innovators. Thus, we face a key challenge: to preserve intellectual property rights while at the same time promoting the growth of new technologies. This act responds to the challenge. It bolsters our intellectual property protections while preserving the freedom necessary to make full use of music, movies, and other entertainment. The act also takes important steps to preserve our Nation's rich cultural heritage, and to ensure that this heritage remains available to our children.

The act includes the version of the CREATE Act that has passed both the House and Senate. That bill corrects for a provision in the Bayh-Dole Act which, when read literally by the Court of Appeals for the Federal, runs

counter to the intent of that legislation. The correction will encourage more of the joint efforts between private industry and research universities that have proved so fruitful to the U.S. economy, our research universities, and the many Americans who work in the patent industries.

It also includes a version of the National Film Preservation Act and the Preservation of Orphan Works Act. These two provisions each play an important role in preserving our national heritage. The National Film Preservation Act, which I first introduced on November 21, 2003, reauthorizes a Library of Congress program dedicated to saving rare and significant films. The Preservation of Orphan Works Act corrects a drafting error in the Sonny Bono Copyright Term Extension Act. Correction of this error will allow libraries to create copies of certain copyrighted works, such as films and musical compositions that are in the last 20 years of their copyright term, are no longer commercially exploited, and are not available at a reasonable price.

The act also includes the Artists' Rights and Theft Prevention Act, which protects filmmakers from an increasingly common threat: the theft of their work by individuals who record films as they are played in theaters. Part of that provision directs the Register of Copyrights to create a registry of pre-release works in order to better address the problems associated with piracy of creative works before they are offered for legal distribution and provides improved remedies for such piracy.

It also includes the Anti-counterfeiting Act of 2004, an important piece of legislation that Senator BIDEN has championed for several years. This provision adds much-needed protections to those who create records, films, and computer programs, by expanding the prohibition on affixing counterfeit labels to such products. Another provision, the Fraudulent Online Identity Sanctions Act, enhances the integrity of the Internet by creating a rebuttable presumption that a trademark or copyright infringer acted willfully if that infringer used false information to register a domain name used in connection with the infringement. It also increases penalties for crimes committed using fraudulently-acquired domain names.

Finally, the act includes the Family Movie Act, which will preserve the right of home viewers to watch motion pictures in the manner they see fit. At the same time, the act protects the rights of directors and copyright holders to maintain the artistic vision and integrity of their works.

I thank my colleagues on both sides of the aisle, and in both houses of Congress, for their hard work on this bill. Our efforts here should be a model for achieving legislative consensus in this area, and others, in the future.